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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/810,348	03/26/2004	Michael John Wray	B-5405 621795-6	8240

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HEWLETT-PACKARD COMPANY
Intellectual Property Administration
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EXAMINER	
SANDOVAL, KRISTIN D	

ART UNIT	PAPER NUMBER
2132	

MAIL DATE	DELIVERY MODE
10/01/2007	PAPER

Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

Office Action Summary	Application No.	Applicant(s)	
	10/810,348	WRAY, MICHAEL JOHN	
	Examiner	Art Unit	
	Kristin D. Sandoval	2132	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 26 March 2004.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-12 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-12 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 26 March 2004 is/are: a) ☒ accepted or b) ☐ objected to by the Examiner.
 Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
 Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☒ All b) ☐ Some * c) ☐ None of:
1. ☒ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. _____.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- * See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|--|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413) |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | Paper No(s)/Mail Date. _____ |
| 3) <input checked="" type="checkbox"/> Information Disclosure Statement(s) (PTO/SB/08) | 5) <input type="checkbox"/> Notice of Informal Patent Application |
| Paper No(s)/Mail Date <u>9/24/07</u> . | 6) <input type="checkbox"/> Other: _____ |

DETAILED ACTION

1. Claims 1-12 are pending.

Claim Objections

2. Claims 1, 3 and 10 objected to because of the following informalities: There are grammatical errors. Appropriate correction is required.

Claim Rejections - 35 USC § 112

The following is a quotation of the second paragraph of 35 U.S.C. 112:

The specification shall conclude with one or more claims particularly pointing out and distinctly claiming the subject matter which the applicant regards as his invention.

3. Claims 5, 9 and 12 rejected under 35 U.S.C. 112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which applicant regards as the invention.

Regarding claim 5, the 'if' statement recited in the claim has no coinciding else statement, therefore the scope of the claim cannot be determined.

Claim 9 states, "A system", however, there are no tangible limitations to the system. Merely referencing the drawings does not constitute limitations.

Claim 12 states, "A method", however, there are no method steps for performing the stated purpose. Merely referencing the drawings does not constitute method step limitations.

Claim Rejections - 35 USC § 102

The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(e) the invention was described in (1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent or (2) a patent granted on an application for patent by another filed in the United States before the invention by the applicant for patent, except that an international application filed under the treaty defined in section 351(a) shall have the effects for purposes of this subsection of an application filed in the United States only if the international application designated the United States and was published under Article 21(2) of such treaty in the English language.

4. Claims 1-12 rejected under 35 U.S.C. 102(e) as being anticipated by Austel et al.
(Austel), U.S. Patent No. 6,430,561.

As per claims 1 and 10:

Austel discloses a system comprising a trusted computing platform, one or more logically protected computing environments and a filesystem comprising a plurality of files and links defining access paths between said files, the system being arranged to load onto said trusted computing platform a predetermined security policy including a plurality of security rules in respect of one or more of said logically protected computing environments and/or said files, the system being further arranged to determine that first and second security rules apply to a specified file or set of files, determine the complete set of files (or fileset) to which each of said first and second security rules applies, determine if the fileset of said first security rule is a complete subset of the fileset of said second security rule, and if so, apply said first security rule to said specified file or set of files, and otherwise, select one of said first and second security rules on the basis of another attribute thereof, and apply the selected security rule to said specified file or set of files (6:42-7:25).

As per claims 2 and 11:

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Austel further discloses a system wherein said security rules comprise or include a plurality of file rules defining discretionary access controls in respect of one or more of said logically protected computing environments and/or files (10:33-43).

As per claim 3:

Austel further discloses a system wherein said security rules comprise or include a plurality of execution control rules defining a modifying security attributes in respect of one or more of said logically protected computing environments and/or files (11:14-42).

As per claim 4:

Austel further discloses a system wherein in said first and second security rules are file rules, and the fileset to which said first security rule applies is not a complete subset of the fileset to which the second security rules applies, the system is arranged to determine which of the first and second security rules is the most restrictive, and apply that rule to said specified file or set of files (7:45-8:22).

As per claim 5:

Austel further discloses a system wherein if said first and second security rules are execution control rules and the fileset to which said first security rule applies is not a complete subset of the fileset to which said second security rule applies, the system is arranged to select and apply the rule which was most recently added to the security policy (10:10-21).

As per claims 6-8:

Austel further discloses providing a warning or error message indicating to a user that a rule conflict exists where a link exists between files or sets of files and removing the link (9:4-22, 10:59-11:7).

Conclusion

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Kristin D. Sandoval whose telephone number is 571-272-7958.

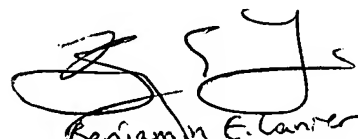
The examiner can normally be reached on Monday - Friday, 8:00-5:30.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Gilberto Barron can be reached on 571-272-3799. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

Kristin D Sandoval
Examiner
Art Unit 2132

KDS
KDS


Benjamin E. Carter
Examiner AU 2132